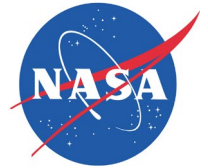


National Aeronautics and
Space Administration



Mary W. Jackson Building NASA Headquarters
Washington, DC 20546-0001

March 22, 2022

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Agency Counsel for Ethics

SUBJECT: Determination Regarding Attendance by NASA Employees at the Satellite Industry Association Annual Satellite Show Events on March 21 - 23, 2022

In conjunction with the Satellite Industry Association Annual Satellite Show, on March 21, 2022, the Satellite Industry Association (SIA), a not-for-profit organization under Section 501(c)(6) of the Internal Revenue Service Code, will hold a dinner at The International Spy Museum in Washington, DC, from 6:30 p.m. to 9:30 p.m. SIA is in control of the planning, organizing, and issuing invitations for this event. The event will provide an opportunity to discuss the highlights and roles that satellite technologies play in the nation's economy and national security. Approximately 200 people are expected to attend the event.

On March 22, 2022, United Launch Alliance (ULA) will hold a reception at the National Portrait Museum in Washington, DC, from 7:00 p.m. to 9:00 p.m. ULA is in control of the planning, organizing, and issuing of invitations for this event. The event will provide a continuing opportunity to discuss the highlights and topics of the Annual Satellite Show.

Attendees will have a diversity of views or interests and will include personnel from other federal agencies, members of the legislative branch, and representatives from industry. The estimated cost of the events, including all food and beverages, is approximately \$185 per person for the dinner on the 21st, and \$75 per person for the reception on the 22nd. Attendance at this event will allow NASA attendees to exchange information regarding various NASA programs. I find that the events meet the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g)(2).

I further determine that there is an Agency interest in having NASA personnel attend these events because it will provide an opportunity for the invited persons to exchange ideas and views pertaining to NASA's policies, programs and operations. NASA employees — including NASA employees in non-career positions who are required to sign an ethics pledge under Executive Order 13989 — who do not have a significant role in a matter affecting the interests of SIA may accept an invitation for free attendance to the event. NASA employees who do not have a significant role in a matter affecting the interests of ULA may also accept an invitation for free attendance to that event. In those circumstances, I find that the Agency's interest in attendance outweighs any concern that the individual may be, or may appear to be, improperly influenced in the performance of their duties.

However, NASA employees who are required to sign an ethics pledge under Executive Order 13989 may only attend the ULA reception if they reimburse the sponsor the value of the event. Additionally, NASA employees who have a significant role in any pending matter affecting the interests of the sponsors, such as procurement duties, program management, or negotiating or administering a Space Act Agreement, should seek a separate determination from their local ethics counselor as to whether they may accept either of the invitations.

Attendees are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a), which provides that employees may accept gifts valued at no more than \$20 per occasion (and no more than \$50 from one source in a calendar year). We understand that ULA will be distributing a rocket model valued at \$20.00. NASA employees in non-career positions who have signed the ethics pledge may only accept the rocket model if they reimburse the sponsor. Attendees are reminded to exercise any COVID-19 precautions appropriate to their individual situation.

for Adam F. Greenstone